IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

W.P.NO.2421 OF 1989

Dee Cee International ..Petitioner

Vs.

The Textile Commissioner
Govt. of India and Ors. ..Respondents

...

None for Petitioner
None for Respondents

...

CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : JUNE 6, 2006

P.C.

1. None present for the petitioner when the matter is called out.

2. This petition was admitted as the issue was similar to that in Writ Petition No.2420 of 1989. An appeal was preferred against an interim order passed in the said Writ Petition by the learned single Judge. The appeal was allowed and Textile Commissioner was permitted to enforce the Bank Guarantee. When the matter came up before this Court on 23.12.1999, a statement was recorded on behalf of the counsel for the Respondents that

nothing survives in that petition as the matter involved enforcement of the Bank Guarantee and accordingly, rule was discharged.

3. Considering the facts of Writ Petition No. 2420 of 1989 as the Textile Commissioner was allowed to enforce the Bank Guarantee, in our opinion, a similar order will have to be passed in this case also, as the learned Judge had only admitted the petition in view of admission of the Writ Petition No.2420 of 1989. In the light of that, rule discharged. There shall be no order as to costs.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI,J.]